

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Robert S. Bardwil
Bankruptcy Judge
Sacramento, California

February 25, 2016 at 10:00 a.m.

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. Matters resolved without oral argument:

Unless otherwise stated, the court will prepare a civil minute order on each matter listed. If the moving party wants a more specific order, it should submit a proposed amended order to the court. In the event a party wishes to submit such an Order it needs to be titled 'Amended Civil Minute Order.'

If the moving party has received a response or is aware of any reason, such as a settlement, that a response may not have been filed, the moving party must contact Nancy Williams, the Courtroom Deputy, at (916) 930-4580 at least one hour prior to the scheduled hearing.

2. The court will not continue any short cause evidentiary hearings scheduled below.
3. If a matter is denied or overruled without prejudice, the moving party may file a new motion or objection to claim with a new docket control number. The moving party may not simply re-notice the original motion.
4. If no disposition is set forth below, the matter will be heard as scheduled.

1.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2315		RE: AMENDED COMPLAINT
	BURKART V. LAL		5-28-13 [60]

Tentative ruling:

This is a continued pretrial conference in this adversary proceeding. The court intends to use the conference, among other things, to set a briefing schedule to permit the parties to address the following issue. The question whether the defendant took the payments in question in good faith and for value will be a key issue in this adversary proceeding. The court will give the parties the opportunity to brief the issue of good faith, and specifically whether, under the objective standard that is applied in the Ninth Circuit (In re Agricultural Research & Tech. Group, Inc., 916 F.2d 528, 539 (9th Cir. 1990)), the court is to consider the level of financial and/or investment experience, education, sophistication, cultural background, length of time residing in the United States, familiarity with the English language, and similar circumstances of the particular defendant in the adversary proceeding or the group of defendants in the trustee's various adversary

proceedings filed in the underlying bankruptcy case. Phrased differently, the question is whether, under the objective standard, the court is to consider what the conduct would have been of a person of similar background, education, and so on to the particular defendant or group of defendants.

The court will hear the matter.

2.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2317		RE: AMENDED COMPLAINT
	BURKART V. PRATAP		8-15-12 [7]

The court incorporates the tentative ruling for Item no. 1.

3.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2319		RE: AMENDED COMPLAINT
	BURKART V. SHARMA		8-15-12 [9]

The court incorporates the tentative ruling for Item no. 1.

4.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2321		RE: AMENDED COMPLAINT
	BURKART V. ATHWAL		8-15-12 [7]

The court incorporates the tentative ruling for Item no. 1.

5.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2354		RE: COMPLAINT
	BURKART V. CHEN ET AL		7-26-12 [1]

The court incorporates the tentative ruling for Item no. 1.

6.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2356		RE: AMENDED COMPLAINT
	BURKART V. MAHABIR		5-28-13 [59]

The court incorporates the tentative ruling for Item no. 1.

7.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2357		RE: AMENDED COMPLAINT
	BURKART V. LAL		5-28-13 [59]

The court incorporates the tentative ruling for Item no. 1.

8.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2359		RE: COMPLAINT
	BURKART V. MAHARAJ		7-26-12 [1]

The court incorporates the tentative ruling for Item no. 1.

9. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2360 RE: COMPLAINT
BURKART V. NARAYAN 7-26-12 [1]

The court incorporates the tentative ruling for Item no. 1.

10. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2362 RE: AMENDED COMPLAINT
BURKART V. NARAYAN 2-28-13 [30]

The court incorporates the tentative ruling for Item no. 1.

11. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2365 RE: COMPLAINT
BURKART V. PANDEY 7-27-12 [1]

The court incorporates the tentative ruling for Item no. 1.

12. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2367 RE: AMENDED COMPLAINT
BURKART V. PRASAD 5-28-13 [57]

The court incorporates the tentative ruling for Item no. 1.

13. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2368 RE: COMPLAINT
BURKART V. PRASAD 7-27-12 [1]

The court incorporates the tentative ruling for Item no. 1.

14. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2369 RE: AMENDED COMPLAINT
BURKART V. SINGH 5-28-13 [59]

The court incorporates the tentative ruling for Item no. 1.

15. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2385 RE: COMPLAINT
BURKART V. PRASAD 8-3-12 [1]

The court incorporates the tentative ruling for Item no. 1.

16. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2386 RE: AMENDED COMPLAINT
BURKART V. RAM 5-28-13 [59]

The court incorporates the tentative ruling for Item no. 1.

17. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2395 RE: AMENDED COMPLAINT
BURKART V. PRASAD ET AL 5-28-13 [60]

The court incorporates the tentative ruling for Item no. 1.

18. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2399 RE: COMPLAINT
BURKART V. SHARMA 8-6-12 [1]

The court incorporates the tentative ruling for Item no. 1.

19. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2413 RE: COMPLAINT
BURKART V. HONG 8-8-12 [1]

The court incorporates the tentative ruling for Item no. 1.

20. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2415 RE: AMENDED COMPLAINT
BURKART V. NAIDU 5-28-13 [56]

The court incorporates the tentative ruling for Item no. 1.

21. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2429 RE: COMPLAINT
BURKART V. STEELE 8-10-12 [1]

The court incorporates the tentative ruling for Item no. 1.

22. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2433 RE: AMENDED COMPLAINT
BURKART V. SINGH 5-28-13 [57]

The court incorporates the tentative ruling for Item no. 1.

23. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2451 RE: AMENDED COMPLAINT
BURKART V. BUZUAYONE 2-28-13 [22]

The court incorporates the tentative ruling for Item no. 1.

24. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2458 RE: COMPLAINT
BURKART V. GUO 8-14-12 [1]

The court incorporates the tentative ruling for Item no. 1.

25. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2475 RE: AMENDED COMPLAINT
BURKART V. KAIWAI 4-8-13 [11]

The court incorporates the tentative ruling for Item no. 1.

26. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2482 RE: COMPLAINT
BURKART V. LUO 8-15-12 [1]

The court incorporates the tentative ruling for Item no. 1.

27. 10-42050-D-7 VINCENT/MALANIE SINGH STATUS CONFERENCE RE: COMPLAINT
12-2491 8-16-12 [1]
BURKART V. MAHARAJ

The court incorporates the tentative ruling for Item no. 1.

28. 10-42050-D-7 VINCENT/MALANIE SINGH CONTINUED PRE-TRIAL CONFERENCE
12-2492 RE: COMPLAINT
BURKART V. PRASAD 8-16-12 [1]

The court incorporates the tentative ruling for Item no. 1.

29.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2509		RE: COMPLAINT
	BURKART V. PAN PACIFIC		8-17-12 [1]
	PICTURES LIMITED ET AL		
30.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2312		RE: AMENDED COMPLAINT
	BURKART V. BISESSAR		8-15-12 [11]
31.	10-42050-D-7	VINCENT/MALANIE SINGH	CONTINUED PRE-TRIAL CONFERENCE
	12-2401		RE: COMPLAINT
	BURKART V. BISESSAR		8-6-12 [1]